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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,721	07/03/2003	Arben Kryeziu	1780.003US1	4980

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EXAMINER
SHIFERAW, ELENI A.

ART UNIT	PAPER NUMBER
2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _07/03/2003_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _03 July 2003_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

  1. ☐ Certified copies of the priority documents have been received.

  2. ☐ Certified copies of the priority documents have been received in Application No. _____.

  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _08/25/2005_.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-20 are presented for examination.

Information Disclosure Statement

2.   An Initialized and dated copy of Applicant's IDS form 1449 is attached to the instant

Office action for certain documents submitted. Document "DRM Examples" is not considered

because copy of the document not submitted. Applicant is required to submit a copy of

document, "DRM Examples", listed in the 1449 form.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is not tangibly embodied as it is software per se. It is suggested that the claimed subject matter "A media stream structure residing on a computer..." should be changed to "A media stream structure **stored/embodied** on a computer ...".

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Ram et al. US

6,519,700 B1.

Regarding claim 1, Ram et al. discloses a method to authenticate a media stream recipient,

comprising:

automatically receiving an authentication request from a media player when a recipient

attempts to use the media player to play a media stream, and wherein the media player is part of

the media stream (col. 5 lines 12-24, col. 11 lines 47-55, and fig. 6 element 624);

verifying that the recipient is authorized to play the media stream (col. 13 lines 4-21, col.

8 lines 38-44, and col. 12 lines 11-23); and

sending an authentication token to the media player, if the recipient is authorized (col. 12

lines 7-col.13 lines 21).

Regarding claim 8, Ram et al. discloses a media stream structure residing on a computer readable

medium, comprising:

media player logic (col. 6 lines 54-col. 7 lines 3);

media content (col. 4 lines 36-40); and

media recipient authentication logic included with the media player logic (col. 6 lines 27-

68);

wherein when the media stream data structure is received by a computing device (col. 12

lines 7-10 and fig. 5), the media player logic automatically installs itself on the computing device

and executes the media recipient authentication logic before playing the media content (col. 11

lines 34-col. 12 lines 23), and wherein the media recipient authentication logic sends an

authentication request to an authentication service along with the identity of a recipient of the

media content (col. 8 lines 37-44, and col. 5 lines12-25).

Regarding claim 15, Ram et al. disclose a media content authentication system, comprising:

a distribution service for distributing media streams (fig. 1 elements 116 and 112),

wherein each media stream includes media content and a self-installing media player (fig. 5 and

col. 7 lines 52-68); and

an authentication service that subsequently communicates with each media player in

order to authenticate access to recipients that attempts to play the media content (col. 8 lines 38-

44, and col. 12 lines 11-24).

Regarding claim 2, Ram et al. teaches the method wherein the sending further comprises

automatically installing the authentication token as a licensing key on a computing device of the

recipient, wherein the licensing key can include licensing limitations (col. 3 lines 26-40, and col.

8 lines 1-12)

Regarding claim 3, Ram et al. teaches the method wherein in automatically receiving, the

recipient initially obtains the media player and media stream from a second recipient (col. 12

lines 7-24).

Regarding claim 4, Ram et al. teaches the method wherein in verifying, the recipient is verified

by externally contacting a licensing service with at least one of an identity of the recipient and an

identification of the media stream (col. 8 lines 37-44, and col. 4 lines 41-67).

Regarding claim 5, Ram et al. teaches the method wherein in sending, the authentication token includes limitations that instruct the media player to self destruct the media stream upon the occurrence of an event or pre-defined time (col. 10 lines 5-25).

Regarding claim 6, Ram et al. teaches the method wherein in sending, the authentication token includes limitation that instruct the media player to prevent the recipient from re-streaming the media stream to a downstream recipient (col. 10 lines 5-25).

Regarding claim 7, Ram et al. teaches the method wherein in sending, the authentication token is at least one of a digital certificate and a digital signature col. 10 lines 26-col. 11 lines 33).

Regarding claim 9, Ram et al. teaches the media stream data structure wherein the media recipient authentication logic also sends an identification of the media content to the authentication service (col. 5 lines 13-24 and col. 11 lines 34-67).

Regarding claim 10, Ram et al. teaches the media stream data structure further comprising an authentication token, which is added to the media stream data structure if the identity of the recipient is authorized to play the media content on the computing device by the authentication service (fig. 5).

Regarding claim 11, Ram et al. teaches the media stream data structure wherein the authentication token is stored external to the media stream data structure and is identified within

the media stream data structure as a pointer reference (col. 8 lines 37-44).

Regarding claim 12, Ram et al. teaches the media stream data structure wherein the media

recipient authentication logic also sends at least one of settings associated with a computing

environment of the computing device and an Internet Protocol (IP) address associated with the

computing device to the authentication service (col. 8 lines 1-22, col. 13 lines 4-21, and col. 12

lines 7-10).

Regarding claim 13, Ram et al. teaches the media stream data structure wherein the

authentication service authenticates the identity of the recipient by interfacing with one or more

external licensing services (col. 8 lines 37-44).

Regarding claim 14, Ram et al. teaches the media stream data structure wherein the media player

automatically plays the media content if a valid authentication token is received from the

authentication service (fig. 4 element 424, and col. 12 lines 11-67).

Regarding claim 16, Ram discloses the media content authentication system wherein each media

player that self-installs contacts the authentication service immediately after it initially installs on

a recipient's computing device (col. 11 lines 39-col. 12 lines 35).

Regarding claim 17, Ram discloses the media content authentication system wherein each media

player receives an authentication token from the authentication service, if a corresponding

recipient is authorized to play the media content (col. 12 lines 7-68).

Regarding claim 18, Ram discloses the media content authentication system wherein the

authentication service uses a licensing service to authorize a number of the recipients for access

to the media content (col. 9 lines 28-col. 10 lines 25).

Regarding claim 19, Ram discloses the media content authentication system wherein the

authentication service receives information from each of the media players that is used to

authenticate each of the recipients, and the information includes at least one of settings of a

computing environment that is executing the media player, an identity of the recipient, and an

identification of the media content (col. 8 lines 28-col. 9 lines 60).

Regarding claim 20, Ram discloses the media content authentication system wherein the

authentication service returns authentication tokens to each of the media players that have

authorized recipients and the authentication tokens are at least one of a digital certificates, digital

signatures, encrypted data, and hidden data (col. 9 lines 49-col. 10 lines 67).

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867.

The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 13, 2006

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12/13/06